

**FILED**

DISTRICT COURT OF GUAM

SEP 19 2006 \*

MARY L.M. MORAN  
CLERK OF COURT

LEONGUERRERO\_M.gar5

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELVIN LEON GUERRERO,

Defendant,

PRIMOS HEAVY EQUIPMENT,

Garnishee.

CRIMINAL CASE NO. 97-00026

ANSWER OF THE GARNISHEE

ANSWER OF THE GARNISHEE

Felix Quan, BEING DULY SWORN DEPOSES AND SAYS:  
(Affiant-person preparing/signing)

IF GARNISHEE IS AN INDIVIDUAL:

That he/she is Garnishee herein doing business in the name of \_\_\_\_\_

(State full name and address of business)

IF GARNISHEE IS A PARTNERSHIP:

That he/she is a member \_\_\_\_\_ of a partnership  
composed of which Garnishee is a partner.

1 IF GARNISHEE IS A CORPORATION:

2 That he/she is the (State Official Title) President / Gen. Mgr of Garnishee,

3 Primos Heavy Equip. a corporation, organized under the laws of the

5 IF GARNISHEE IS A GOVERNMENT ENTITY:

6 State name and address of agency, and name and official title of authorized  
7 representative: \_\_\_\_\_

11 1. On April 10, 2006, Garnishee was served with the Writ  
12 of Continuing Garnishment. For the pay period in effect on the date of service (shown above)

13 Yes No

14    X Defendant was in my/our employ.

15 Pay period is weekly   , bi-weekly   , semi-monthly   , monthly   .

16 The Defendant's present pay period began on                     .

17 (Present means the pay period in which this order and notice of  
18 garnishment were served)

19 The Defendant's present pay period ends on                     

20 Enter amount of net wages. Calculate below:

21 (a) Gross Pay \$                     

22 (b) Federal income tax                     

23 (c) F.I.C.A. income tax                     

24 (d) State/Local income tax                     

25 Total of tax withholdings \$                     

26 Net Wages \$                      (a less total of b,c,d)

27 //

28 //

1 Yes ~~No~~ 2.

Are you aware of any other garnishments, suggestions or levies currently in effect. If the answers is yes, please attach to this Answer a copy of each garnishment, suggestion or levy.

4 ~~X~~ 3.

Do you or will you in the foreseeable future, owe the defendant money? If your answer is yes, please provide the amount of money you will owe, the date or dates on which each payment is due, and the reason why you owe or will owe the money to the Defendant:

Type of Payment (salary, commission, etc..)	Amount	Date Payment is Due
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

4. If you currently have in your custody, control or possession property (other than earnings) in the form of savings accounts, pensions, thrift plans, etc., in which the Defendant maintains an interest, for each item of property provide the following information:

Description of Property	Approximate Value	Description of Debtor's Interest
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

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1           5.     For each item of property (other than earnings) which you expect to obtain  
2 custody or possession of in the foreseeable future, provide the following information:

3 <u>Description of</u>	<u>Approximate</u>	<u>Description of</u>	<u>Date you will</u>
4 <u>Property</u>	<u>Value</u>	<u>Debtor's Interest</u>	<u>obtain property</u>
5 1. _____	_____	_____	_____
6 2. _____	_____	_____	_____
7 3. _____	_____	_____	_____
8 4. _____	_____	_____	_____

9 Yes    No

10 \_\_\_\_\_ ☒ 6.

11 Do you make any claim of exemption on the part of  
12 Defendant? If yes, please explain the nature and  
13 basis of your claim:

14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 Yes    No

18 \_\_\_\_\_ ☒ 7.

19 Do you have any objections to the garnishment of  
20 the Defendant? If yes, please explain the nature and  
21 basis of your objection:

22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 //

27 //

28 //

1 8. Check the line below if you deny that you hold property subject to this order of  
2 garnishment:

3 ☒

4 [The Garnishee was then in no manner and upon no account indebted or  
5 under liability to the Defendant, MELVIN LEON GUERRERO, and that  
6 the Garnishee did not have in his/her possession or control any property  
7 belonging to the Defendant, or in which the Garnishee has an interest; and  
8 is in no manner liable as Garnishee in this action.]

9 9. The Garnishee mailed a copy of this answer by first-class mail to (1) the Debtor,  
10 MELVIN LEON GUERRERO, at XXXX E. Gayinero Rd., Yigo, Guam 96929 and (2) the  
11 attorney for the United States, Marivic P. David, Assistant United States Attorney, U.S.  
12 Attorney's Office, Sirena Plaza, Suite 500, 108 Hernan Cortez Avenue, Hagåtña, Guam 96910-  
13 5059.

14 PRIMOS HEAVY EQUIPMENT

15 Garnishee

16 By:

17 [Signature]  
18 Name of person preparing Answer

19  
20  
21 The foregoing instrument was acknowledged before me this 18th day of September,  
22 2006.

23 [Signature]  
24 Notary Public

